

R11-133

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BY AND BETWEEN The Borough of Merchantville AND THE COUNTY OF CAMDEN FOR THE PROVISION OF MARKETING SERVICES FOR RECYCLABLES

WHEREAS, the County of County, (hereinafter "COUNTY"), has entered into an Agreement with FCR Camden, LLC. d/b/a/ ReCommunity Recycling (hereinafter "OPERATOR") of Charlotte, North Carolina, to provide marketing services for recyclables for Camden County and its municipalities at their facility located at 2201 Mt. Ephraim Avenue, Camden, New Jersey, (hereinafter "FACILITY"); and

WHEREAS, the COUNTY and Merchantville ("hereinafter MUNICIPALITY") are desirous of entering into a Shared Services Agreement, whereby the MUNICIPALITY will benefit from the above-referenced recycling marketing services; and

WHEREAS, such Shared Services Agreement will provide for the processing and marketing of glass, metal, and certain plastic food and beverage containers, newspapers, old corrugated cardboard and mixed residential paper, and such other recyclables as may be determined from time-to-time by the COUNTY which are generated by municipal programs; and

WHEREAS, this Agreement shall begin on January 1, 2012 and shall end on December 31, 2016; and

WHEREAS, in each month where the Average Commodity Revenue of Single Stream recyclables delivered by the MUNICIPALITY to the OPERATOR

exceeds \$75.00 per ton, MUNICIPALITY shall receive a revenue share of 55% and the COUNTY shall receive a portion of the remaining 45% that exceeds the \$75.00 per ton; and

WHEREAS, should the amount per ton be less than \$75.00 in any given month during the term of this Agreement, there shall be no cost to the MUNICIPALITY and the COUNTY shall bear all costs and fees from the delivery of recyclables delivered by the MUNICIPALITY to the OPERATOR for that month; and

WHEREAS, additional terms and conditions shall be negotiated by the parties; and

WHEREAS, N.J.S.A. 40A:65-1 *et seq* ("Uniform Shared Services and Consolidation Act") permits two local units to enter into a contract for any services which any party to the agreement is empowered to render within its jurisdiction; and

WHEREAS, the COUNTY and the MUNICIPALITY agree that their mutual public purposes and their best interests will be promoted by the execution and delivery of this Shared Services Agreement pursuant to the powers conferred by the Uniform Shared Services and Consolidation Act; now, therefore,

BE IT RESOLVED, by the Governing body of the Borough of Merchantville, that the proper officials be and are hereby authorized to execute a Shared Services Agreement with the County of Camden, 520 Market Street, Camden, New Jersey 08102, for the provision of marketing recyclables as described herein, at the revenue share and for the term described herein.

BE IT FURTHER RESOLVED, that there shall be no cost to the
Borough of Merchantville for the marketing and delivery of recyclables to the
OPERATOR under the terms of the Shared Services Agreement with the County
of Camden as authorized by adoption of this Resolution.

APPROVED:

ATTEST:

Frank M. North
MAYOR

Denise Brouse
BOROUGH CLERK

BOROUGH OF MERCHANTVILLE

I, Denise Brouse, Borough Clerk of the Borough of Merchantville, do hereby certify the foregoing resolution to be a true copy of a resolution adopted by the governing body at a meeting held on November 14, 2011. Witness my hand and seal of the Borough of Merchantville this 14th day of November, 2011.

Denise Brouse, Borough Clerk